



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,790	12/09/2003	Michael Kilian	E0295.70190US00	4910
23628	7590	05/18/2006	EXAMINER ONI, OLUBUSOLA	
WOLF GREENFIELD & SACKS, PC NULL FEDERAL RESERVE PLAZA 600 ATLANTIC AVENUE BOSTON, MA 02210-2206			ART UNIT 2168	PAPER NUMBER

DATE MAILED: 05/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/731,790 OLUBUSOLA ONI	KILIAN ET AL. Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 12/09/2003.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-64 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-64 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/09/2003</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This action is responsive to communication: Application, filed on 12/09/2003.

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Stuart et al. (Pat No: U.S 20050055519) hereinafter "Stuart"

For claim 1, Stuart teaches "method of processing data in a computer system comprising at least one host and at least one storage system, the method comprising acts of receiving a request, from the host, to delete a unit of data stored on the storage system" (See paragraph [0020, fig. 4&fig.9])  
"determining whether a previously-defined retention period for the unit of data has expired"(See paragraph [0019-0020] & fig. 9)  
"when it is determined in the act (B) that the retention period for the unit of data has not expired, denying the request to delete the unit of data"(See paragraph [0019-0020], fig. 9)

For claim 2, Stuart teaches “when it is determined in the act (B) that the retention period for the unit of data has expired, deleting the unit of data” (See paragraph [0093-0094], fig. 9)

For claim 3, Stuart teaches “wherein the acts (A), (B) and (C) are performed by the storage system” (See paragraph [0007], [0022-0024] & fig. 1)

For claim 4, Stuart teaches “further comprising an act (D) of, prior to performing the acts (A), (B) and (C), receiving information specifying the retention period for the unit of data”(See paragraph [0032-0033]& fig. 4)

For claim 5, Stuart teaches “ further comprising acts of, prior to performing the acts (A), (B) and (C) receiving the unit of data at the storage system” (See paragraph [0007], [0039-0041])  
“writing the unit of data to the storage system” (See paragraph [0008])

For claim 6, Stuart teaches “receiving information specifying the retention period for the unit of data along with the unit of data” (See paragraph [0032-0033]& fig. 4)  
“writing the information specifying the retention period to the storage system” (See paragraph [0039-0042])

Art Unit: 2168

For claim 7, Stuart teaches "wherein the storage system stores at least two different types of units of data including a blob of data and a content descriptor file (CDF) that corresponds to the blob, the blob and the CDF belonging to blob/CDF set, the CDF including metadata relating to the corresponding blob, and wherein the unit of data is the CDF"(See paragraph [0039-0041])

"the act (A) comprises an act of receiving a request to delete the CDF"(See paragraph [0044]);

"the act (B) comprises an act of determining whether a previously-defined retention period for the CDF has expired"(See paragraph [0019-0020])

"the act (C) comprises an act of, when it is determined in the act (B) that the retention period for the CDF has not expired, denying the request to delete the CDF"(See paragraph [0044]).

For claim 8-9, Stuart teaches "further comprising an act (D) of denying any request to delete..."(See paragraph [0043])

For claim 10, The method of claim 7, wherein the CDF is a first CDF, wherein the blob/CDF set comprises a second CDF corresponding to the blob, wherein each of the first and second CDFs has a retention period, and wherein the method further comprises an act (D) of denying any request to delete the blob unless and until a longer of the retention periods for the first and second CDFs has expired" (See paragraph [0039-0041] wherein Stuart refers to the unit, or "blob" of data as an object. Stuart refers to the

Art Unit: 2168

CDFs associated with the Blob as Object Entries and Expiration Entries that are stored in the Archive database, which can be seen in fig. 6. Stuart teaches the limitation of creating a second CDF, because modifying the retention period of an object is the same as creating a new CDF with a different retention period)

For claim 11, Stuart teaches “wherein the storage system stores at least two different types of units of data including a blob of data and a content descriptor file (CDF) that corresponds to the blob and forms a blob/CDF set with the blob, the CDF including metadata relating to the corresponding blob, and wherein the unit of data is the blob” (See paragraph [0039-0041])

“the act (A) comprises an act of receiving a request to delete the blob” ([See paragraph [0044]);

“the act (B) comprises an act of determining whether a previously-defined retention period for the blob has expired”(See paragraph [0019-0020])

the act (C) comprises an act of, when it is determined in the act (B) that the retention period for the blob has not expired, denying the request to delete the blob” (See paragraph [0044]).

For claim 12, Stuart “further comprising an act (D) of executing a garbage collection utility that deletes the blob, but not until after the retention period for the corresponding CDF has expired” (See paragraph [0039-0041]

For claim 13, Stuart teaches “wherein the unit of data includes timestamp information identifying when the unit of data was stored to the storage system, wherein the act (B) comprises examining the timestamp information and wherein the method further comprises an act of sending to the at least one host time information from a source trusted by the storage system so that the at least one host can use the time information in creating the timestamp”(See paragraph [0046-0050], [0058-0060] & FIG.7)

For claim 14, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 8&9 and is similarly rejected.

For claim 15, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 16, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 10 and is similarly rejected.

For claim 17, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 18, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 8&9 and is similarly rejected.

For claim 19, Stuart teaches “wherein the CDF is a first CDF, and wherein the method further comprises an act of extending a retention period for the blob by writing a second CDF to the storage system, the second CDF corresponding to the blob and having a longer retention period than the first CDF” (See paragraph [0039-0041])

For claim 20-31, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-12 and are similarly rejected.

For claim 32, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 14 and is similarly rejected.

For claim 33, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 13 and is similarly rejected.

For claim 34, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 35, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 36, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 10 and is similarly rejected.

For claim 37, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 8-9 and are similarly rejected.

For claims 38-39, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 19 and are similarly rejected.

For claim 40, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

For claim 41-44, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 1-5 and are similarly rejected.

For claims 45-47, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 7-9 and are similarly rejected.

For claim 48, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 13 and is similarly rejected.

For claim 49, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 10 and is similarly rejected.

For claim 50, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 7 and is similarly rejected.

For claim 51, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 52, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

For claim 53, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 8-9 and is similarly rejected.

For claim 54, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 10 and is similarly rejected.

For claim 55, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 12 and is similarly rejected.

For claim 56, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 8-9 and is similarly rejected.

For claim 57, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 6 and is similarly rejected.

For claim 58, Stuart teaches “a method of processing data in a computer system comprising at least one host and at least one storage system, the method comprising an act of transmitting at least one request, from the host to the storage system, requesting that the storage system store a data unit until at least the expiration of a retention period specified in the at least one request” (See paragraph [0007-0008], [0039-0041])

For claim 59-60, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 10 and are similarly rejected.

For claims 61-63, Stuart teaches “wherein the retention period is based, at least in part, on a creation time...”(See paragraph [0032-0035], fig. 4)

For claim 64, Stuart teaches “wherein the act (A) comprises transmitting at least one request that specifies the retention period based, at least in part, on a creation time when the request is transmitted, and further comprising acts of receiving from a source

specified by the at least one storage system, time information; and using the time information in establishing the creation time" (See paragraph [0046-0050], [0058-0060] & FIG.7)

**Conclusion**

3. The following prior art cited on the PTO-892 form, not relied upon, is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

OLUBUSOLA ONI  
Examiner  
Art Unit 2168



TIM VO  
PRIMARY EXAMINER